IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.69 OF 2005
IN
PUBLIC INTEREST LITIGATION NO.39 OF 2003

Shri.Yeshwant B. Kasurde & Ors. ..Applicants.

V/s.

Bombay Environmental Action Group & Ors...Respondents.

WITH
CIVIL APPLICATION NO.70 OF 2005
IN
PUBLIC INTEREST LITIGATION NO.39 OF 2003

Shri.Mahadev Bondaram & Ors. ..Applicants.

V/s.

Bombay Environmental Action Group & Ors...Respondents.

WITH

CIVIL APPLICATION NO.71 OF 2005
IN
PUBLIC INTEREST LITIGATION NO.39 OF 2003

Shri.Mohan Bhandari & Ors. ..Applicants.

V/s.

Bombay Environmental Action Group & Ors...Respondents.

Mr.S.B.Deshmukh for applicant.

Mr.D.J.Khambatta, senior advocate with R.Ghagla i/b. M/s.Federal & Rashmikant for original Petitioners.

Mr.P.M.Patil, A.G.P. for State.

Mrs.Sadhna Mahashabde for respondent No.10.

Mr.J.Reis, senior advocate i/b. Yadhunath Chaudhary

for Panchagani Municipal Council.

CORAM : H.L.GOKHALE AND J.P.DEVADHAR, JJ.

DATED : 14TH DECEMBER, 2005.

P.C. :-

Heard Mr.Deshmukh in support of the applications. The applicants in C.A. 69 of 2005 are people below the poverty line, the applicants in C.A. No.70 of 2005 are people staying in goathan area and C.A.No.71 of 2005 is concerning the toilets which those applicants had put up. These are not the structures which are violating any of the provisions concerning height of structure. Applicants may apply for regularisation and we expect the Municipal Counsel to consider their applications in accordance with law and sympathetically. We make it clear that obviously, Municipal Council will not regularise any structure which is consisting of floors more than ground plus one.

Application is disposed of.

(H.L.GOKHALE, J.)

(J.P.DEVADHAR, J.)